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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/937,708	12/31/2001	Knut Adams	1454.1102	7003

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EXAMINER	
MANCHO, RONNIE M	

ART UNIT	PAPER NUMBER
3663	

DATE MAILED: 11/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/937,708	ADAMS ET AL.	
	Examiner	Art Unit	
	Ronnie Mancho	3663	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 October 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *16-25 and 27-30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *16-25, 27-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 22 is objected to because of the following informalities:

Claim 22 is not clear. The phrase "predetermined rules for when the generator of the supply voltage is in operation" is a fragmented phrase. In addition, the phrase "predetermined rules for when the generator of the supply voltage is not in operation" is a fragmented phrase. In both situations, there is at least a missing word between --for-- and --when--.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 16-25, 27-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Westerlage et al (6295449)

Regarding claim 1, Westerlage et al (figs. 5-12) disclose an apparatus (216, 224; figs. 5&7) for data acquisition for a control center 226 (figs. 5, 6), the apparatus (216, 224) comprising:

a control and monitoring system (system 300-302 in unit 224, fig. 8; col. 22, lines 31-36, lines 57-60) directly controlling (col. 22, lines 31-36, lines 57-60) operational states of a device (pager/remote ringer; col. 22, lines 31-36, lines 57-60), the device (pager/remote ringer; col. 22, lines 31-36, lines 57-60) coupled to said control apparatus (216, 224) via control signals (wireless control signals, figs. 5, 6);

at least one input interface (238, 240, 266, 272-276, etc; fig. 7) for supplying input signals;

a transmitting/receiving unit 218 (figs. 5&6);

a signal processing apparatus 246 (column. 16, lines 25-45) coupled to the input interface (238, 240, 266, 272-276, etc; fig. 7) for signal processing of the input signals to derive output data in accordance with a first set of predetermined rules, said signal processing unit 246 including a data analysis unit to record (col. 16, lines 25-45) selected input signals at predetermined times in accordance with recording rules defined in advance by the control center (DTMF or modem data, fig. 8, col. 16, lines 20-38) for short-term monitoring of information derived from the input signals; and

an output interface 216 (col. 7, lines 53-65; col. 16, lines 25-45), coupled to the signal processing unit 246, for supplying the output data (see wireless link, figs. 5-7) from said signal

processing unit 246 to said transmitting/receiving unit 218 (figs. 5&6) for at least one of automatic transmission or transmission initiated on request.

Regarding claim 17, Westerlage et al (figs. 5-12) disclose the apparatus as claimed in claim 16, further comprising at least one writeable memory for storage of an operating system for the apparatus and the recording rules remotely loaded via the transmitting/receiving unit.

Regarding claim 18, Westerlage et al (figs. 5-12) disclose the apparatus as claimed in claim 16, characterized in that the apparatus has a data converter, which is arranged between the input interface and the signal processing unit and which is used for removing distortion from the supplied input signals and for providing a standard data format for the input signals.

Regarding claim 19, Westerlage et al (figs. 5-12) disclose the apparatus as claimed in claim 18, characterized in that the apparatus has an address allocation unit, which is provided between the data converter and the input interface, and is intended for conversion of a source-specific addresses of the input signals to the address format of the data converter.

Regarding claim 20, Westerlage et al (figs. 5-12) disclose the apparatus as claimed in claim 16, wherein the apparatus is installed in a mobile vehicle which is operated by a motor or engine, and has a generator of a supply voltage, and

wherein the apparatus further comprises:

a power supply connection (figs. 1&7) coupled to the generator of the supply voltage in the vehicle, said transmitting/receiving unit and said signal processing unit; and

a detection unit, coupled to said power supply connection and to said data analysis unit, to detect at least whether the generator of the supply voltage source is in operation, and to

interrupt said data analysis unit when the generator of the supply voltage source in not in operation.

Regarding claim 21, Westerlage et al (figs. 5-12) disclose the apparatus as claimed in claim 20 further comprising a memory, coupled to the signal processing unit, to store a second set of predetermined rules, and wherein said signal processing unit further comprises a data processing unit to record information data derived from the input signals in accordance with the second set of predetermined rules.

Regarding claim 22 (as best understood), Westerlage et al (figs. 5-12) disclose the apparatus as claimed in claim 21, wherein said memory further comprises a first memory area containing predetermined rules for keeping the supply voltage source in operating mode, and a second memory area containing predetermined rules for not keeping the supply voltage source in operating mode.

Regarding claim 23, Westerlage et al (figs. 5-12) disclose the apparatus as claimed in claim 21, wherein the signal processing apparatus has an alarm unit, coupled to said memory and to said data processing unit, for monitoring information data derived from the input signals in accordance with predetermined alarm rules, and wherein the apparatus further comprises a memory to store predetermined rules for the alarm unit.

Regarding claim 24, Westerlage et al (figs. 5-12) disclose the apparatus as claimed in claim 23, characterized in that the apparatus has an alarm archive for storing information on alarms that have occurred.

Regarding claim 25 Westerlage et al (figs. 5-12) disclose the apparatus as claimed in claim 21, characterized in that the signal processing unit includes a monitoring unit, coupled to said at least one input interface, for monitoring of the input signals and the information data.

Regarding claim 27, Westerlage et al (figs. 5-12) disclose the apparatus as claimed in claim 16 further comprising a GPS interface to connect the apparatus to a GPS receiver.

Regarding claim 28, Westerlage et al (figs. 5-12) disclose the apparatus as claimed in claim 16, wherein the input signals are operating data relating to one of a vehicle and a machine.

Regarding claim 29, Westerlage et al (figs. 5-12) disclose the apparatus as claimed in claim 28; characterized in that the apparatus is integrated in a car radio receiver and in a car radio receiver/mobile telephone appliance.

Regarding claim 30, Westerlage et al (figs. 5-12) disclose the apparatus as claimed in claim 16, wherein said transmitting/receiving unit transmits the output data to at least one of the control center and a predetermined receiver.

Response to Arguments

4. Applicant's arguments filed 10/06/04 have been fully considered but they are not persuasive.

The applicant is arguing that claim 22 was objected to, but the examiner did not specifically state a reason. The examiner believed that the error was pretty easy to be found when reading claim 22. Anyway, the examiner has pointed out the error in claim 22 above as requested.

Next, the applicant argues that in Westerlage et al, it is not understood how limitations such as telephone numbers, voice signals or control data correspond to "selected input data". In response, the examiner notes that telephone numbers, voice signals, etc are inputted in a device or an input interface in Westerlage. Therefore, Westerlage et al anticipate the claims.

Next, the applicant argues that Westerlage does not disclose a memory for storing selected data. The examiner respectfully disagrees. Westerlage et al disclose a signal processing unit 246 including a data analysis unit to record (see column. 16, lines 25-45) selected input signals at predetermined times in accordance with recording rules defined in advance by the control center (DTMF or modem data, fig. 8, col. 16, lines 20-38) for short-term monitoring of information derived from the input signals. That is the DTMF and /or modem data refer to applicants claimed "control center". Wherein the control center has got predetermine rules therein that control recording by the data analysis unit.

It is therefore believed that the rejections are proper and stand.

Communication

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronnie Mancho whose telephone number is 703-305-6318. The examiner can normally be reached on Mon-Thurs: 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on 703-305-8233. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

Ronnie Mancho
Examiner
Art Unit 3663

11/12/04

THOMAS G. BLACK
SUPERVISORY PATENT EXAMINER
GROUP 3600